

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD S. YOUNG,	:	CIVIL ACTION
	:	NO. 08-2164
Petitioner,	:	
	:	
v.	:	
	:	
LOUIS S. FOLINO, et al.,	:	
	:	
Respondents.	:	

O R D E R

AND NOW, this **22nd day of December 2009**, upon
consideration of the Report and Recommendation of United States
Magistrate Judge L. Felipe Restrepo (doc. no. 16) and
Petitioner's objections thereto (doc. no. 20), it is hereby
ORDERED as follows:

1. The Report and Recommendation is **APPROVED** and
ADOPTED;
2. Petitioner's objections to the Report and
Recommendation are **OVERRULED**; and
3. The Petition for Writ of Habeas Corpus, pursuant
to 28 U.S.C. § 2254, (doc. nos. 1, 3) is
DISMISSED.

4. There is no basis in the case for the issuance of a certificate of appealability.¹

AND IT IS SO ORDERED.

S/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

¹ A petitioner seeking a certificate of appealability must demonstrate "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). "A petitioner satisfies this standard by demonstrating that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." Miller-El v. Cockrell, 537 U.S. 322, 327 (2003). No basis for a certificate of appealability exists in this case, as Petitioner is unable to meet this standard.